

Santa Clara Valley Habitat Conservation Plan / Natural Community Conservation Plan



Coyote Valley Specific Plan Task Force
October 30, 2006

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Project Manager

Agenda

HCP/NCCP Overview
Project Team & Study Area
Covered Species
Covered Activities
Permit Term
Next Steps
Q&A



What is an HCP/NCCP?

- Habitat Conservation Plan/Natural Community Conservation Plan
- Federal/State mechanism to resolve conflict between protected species and development
- Plan to conserve species and habitats in exchange for permits to “take” protected species
- What is “take”?
 - Under Endangered Species Act (ESA), “take” is defined as “an action or attempt to hunt, harm, harass, pursue, shoot, wound, capture, kill, trap, or collect a species.”

HCP/NCCP Benefits

An HCP/NCCP is a Partnership:

- To protect quality of life in the community (watersheds, recreation, water quality, etc.)
- To protect listed and rare species and their habitats
 - Long-term, ecosystem scale conservation better for species than piecemeal mitigations
- To provide regulatory certainty and cost savings
 - As opposed to project-by-project approach

SCV HCP/NCCP Origins

US Fish & Wildlife Service (USFWS) required regional HCP to approve various projects:

- Highway 101 widening (San Jose to Morgan Hill)
- Bailey Avenue Interchange
- Highway 85/101 Interchange
- Coyote Valley Research Park

Local Partners signed Memorandum of Understanding (MOU) in June 2004

- County of Santa Clara
- City of San Jose
- Santa Clara Valley Water District (SCVWD)
- Santa Clara Valley Transportation Authority (VTA)
- City of Gilroy and Morgan Hill (2005)

Planning Agreement signed October 2005



What the HCP/NCCP Will Do

- Enhance and expand conservation lands and open space in the County
- Provide permits to local agencies from
 - U.S. Fish & Wildlife Service (USFWS)
 - National Marine Fisheries Service (NMFS)
 - CA Dept. of Fish & Game (DFG)
- Streamline projects
- Attract new state and federal money for local conservation



What the HCP/NCCP Will Not Do

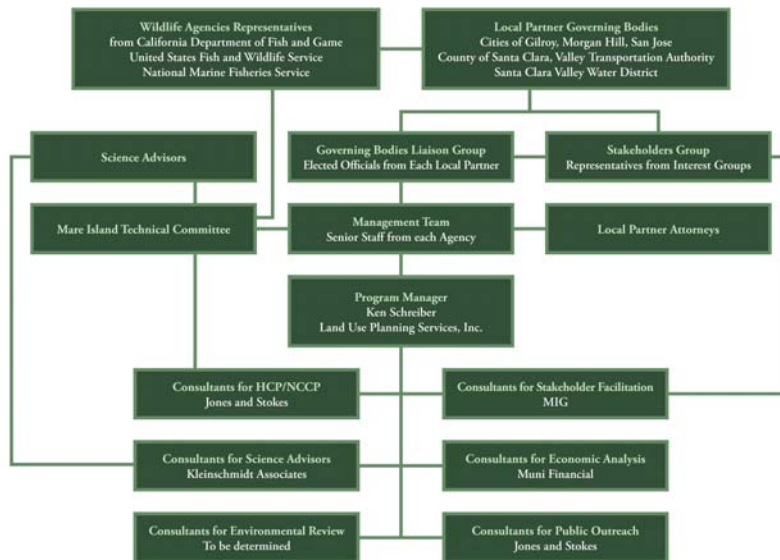
- Address all endangered species needs in the County
- Eliminate all other permitting requirements.
 - Projects must still comply with CA Environmental Quality Act, other local, state, and federal laws
- Solve all environmental conflicts in Santa Clara county
 - Water quality
 - Viewsheds
 - Riparian setbacks



HCP/NCCP Schedule and Phases

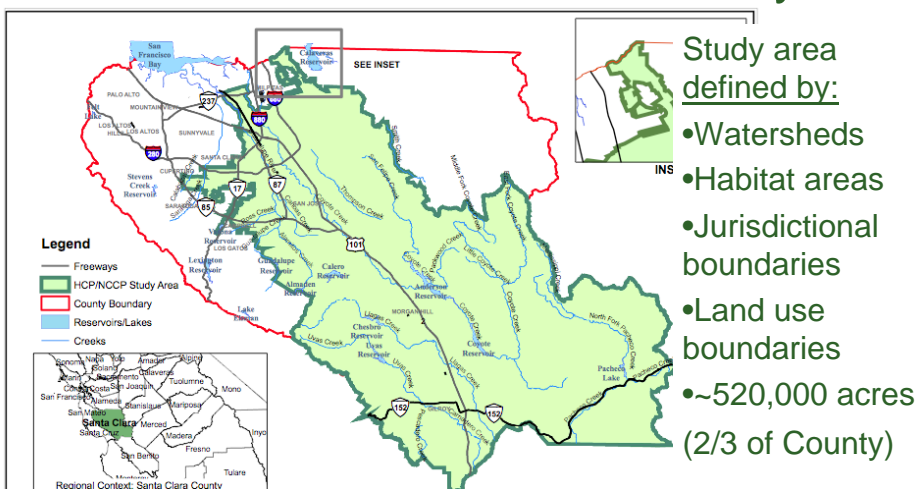
Phase	Major Deliverables	Schedule
Phase 1: Baseline Data	<ul style="list-style-type: none"> • Covered species and activities • Land cover and land use maps • Existing conditions in study area 	July 2005 - August 2006 (1 year)
Phase 2: Conservation	<ul style="list-style-type: none"> • Drafting alternatives for conservation strategy • Draft selected conservation strategy 	Sept. 2006 – Aug. 2007 (1 year)
Phase 3: Draft Documents	<ul style="list-style-type: none"> • EIR/EIS Scoping • Public Draft HCP/NCCP • Public Draft EIR/EIS 	Sept. 2007 – Aug. 2008 (1 year)
Phase 4: Permit Processing	<ul style="list-style-type: none"> • Final HCP/NCCP and Permits • Final EIR/EIS • Assistance with IA and Permitting 	Sept. 2008 to Jan. 2009 (5 months)

SANTA CLARA VALLEY HCP/NCCP ORGANIZATION



SANTA CLARA VALLEY Habitat Conservation Plan / Natural Community Conservation Plan

HCP/NCCP Study Area



Santa Clara Valley HCP/NCCP Study Area Boundary



While the GIS data used to create this map is deemed reliable, it should be only used for planning purposes and the Local Partners assume no liability.

Covered Species

Proposing 30 species be covered by Plan:
15 wildlife species



Townsend's big-eared bat



Western pond turtle



San Joaquin kit fox



Golden eagle



Steelhead trout



Tricolored blackbird



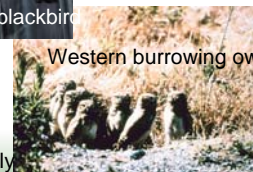
California red-legged frog



California tiger salamander



Bay checkerspot butterfly



Western burrowing owl

Covered Species

15 plant species



Most beautiful jewelflower



Santa Clara Valley dudley



Smooth lessingia



Fragrant fritillary

© 2003 Dean Wm. Taylor

© 1999 California Academy of Sciences



Hall's bush mallow

© 2005 David A. Sharp

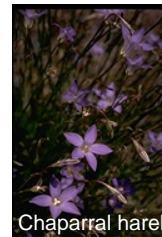


Coyote ceanothos

© 2005 Jahell Filliman



Mt. Hamilton thistle



Chaparral hareb

© 2001 California Academy of Sciences

Covered Activities

- Includes activities and projects likely to occur during the Plan's permit term
 - Urban Development
 - Activities within streams
 - Rural development and operation
 - Public infrastructure and maintenance
 - Preserve land (acquisition during Plan implementation)
- All in accordance with approved land use plans
- Coyote Valley Specific Plan is not covered (separate ESA compliance)

Permit Term

- Considerations
 - Local planning documents and time horizons
 - Time needed to fund and implement all covered activities and HCP/NCCP conservation strategy
- Currently recommend a 50-year permit term
 - Permit terms of large, regional HCP/NCCPs generally 30-50 yrs
- Continuing analysis will help inform final decision

Public Input Opportunities

Meetings

- Monthly Stakeholder Meetings
 - 4th Tuesday, Morgan Hill, 4:00pm- 6:30pm
- Bi-monthly Liaison Group
 - 4th Thursday, San Jose (a.m. and p.m. – check calendar on web site)
- Community meetings over the next three years
 - HCP/NCCP development, review, and approval
 - Public review of associated environmental documents
- Speakers Bureau – check calendar on web site

Public Input Opportunities

- Public hearings on Draft and Final HCP/NCCP and EIR/EIS
- Provide written or verbal comments at meetings, via web or to Program Manager
- Web Site: www.scv-habitatplan.org

For More Information:

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Coyote Valley Specific Plan

- CVSP is in the HCP/NCCP study area
- Impacts to CVSP wetlands require a permit from the Army Corps of Engineers
- FESA requires Corps and USFWS to “consult” under Section 7 regardless of status of HCP (Section 10)
- CVSP is identified in the SCV HCP/NCCP Planning Agreement as an “Interim Project”
- Planning Agreement anticipates CVSP to pursue Section 7 (separate ESA compliance)



Coyote Valley Specific Plan

- CVSP cannot preclude a viable conservation strategy for HCP/NCCP
- HCP/NCCP cannot delay CVSP implementation
- CVSP must address all direct and indirect impacts identified during Section 7 consultation
- CVSP planning and review must be coordinated with SCVHCP processes to help achieve the preliminary conservation strategies